

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

DARLINGTON AMADASU

Plaintiff

Case No: C - 1- 01 - 210

Black/Dlott

-v-

JAMES R. DONOVAN, MD, et al  
Defendants

PLAINTIFF'S FIRST REQUESTS FOR COMBINED  
PRODUCTION OF DOCUMENTS TO TEXAS  
DEFENDANTS OF UTHSCSA

Plaintiff hereby requests that Defendants Claudia S. Miller, Roger B. Perales, and University of Texas Health Science Center at San Antonio (collectively, "Texas Defendants") serve the Plaintiff response, documents and things within thirty (30) days after service, strictly in accordance with Rule 34 of the Federal Rules of Civil Procedure to enable plaintiff prepare and prosecute this action

You are warned that all answers must be made separately and fully, and that an incomplete or evasive answer is a failure to answer pursuant to Rule 37.

Your documents and things in response to this Request must be organized and labeled to correspond with the categories in the request pursuant to FRCP 34(b).

**Documents and Things Requested**

1. A copy of any report, memoranda, or other writings made by, on behalf of, or to the responding defendants, their agents, servants and employees about or relating to the plaintiff's employment, incidents or occurrences, which are the subjects of this action, and which were made in the regular course of business operations or practices of defendants.

2. A copy of any and all statements in the possession, control or custody of the responding defendants, its agents, servants, and subordinates, actually or allegedly made by or taken of plaintiff regarding the employment and occurrences which are the subjects of the Complaint, or related thereto, by any method and in any form. If responding defendant no longer has such statements in its possession, custody, and control, defendant must state the nature of said statement and its present location, possessor and custodian of said statements to the best of defendant's knowledge. If the plaintiff did not make any such statements, defendants must so state in response to this demand

3. (a) A copy of movies, videotapes, audiotapes, e-mails, electronic recordings, CDs, DVDs and photographs in the possession, custody or control of the defendants, their agents, servants, employees, and attorneys showing, portraying, containing or relating, or referring to the subject of the Complaint and the plaintiff;

(b) If responding defendants no longer possess such movies, videotapes, audiotapes, emails, electronic recordings, and photographs, a statement must be made identifying the present location, possessor, and custodian of such movies, videotapes, audiotapes, e-mails, electronic recordings, and photographs, to the best of defendants knowledge; or (c) If any such movies, videotapes, electronic recordings, and photographs do not exist, defendants must so state in response to this demand

4. (a) A statement of all applicable policies of insurance and policy limits, which would be liable to satisfy part, or all of a judgment entered against you for the occurrences, which is the subject matter of this action;

(b) A copy of each and every insurance agreement under which any person or Carrier carrying insurance business may be liable to satisfy part or all of a judgment, which may be entered in this action against you including a statement of the claim number, the name of the claim examiner, and the address of the claim office for all insurance carriers identified in (a) herein above with respect to said carriers handling of this plaintiff's claim; (c) If no insurance agreements exist, so state in your response to this demand

5. Produce documents of self-insurance coverage with limit of such coverage, if self-insured, state the limit of such coverage.

6. Copies of any, every, and all other evidences, statements, documents, testimonies, pictures, etc. that defendant intends to introduce as exhibits in the proceedings and at trial.

7. Copies of any, every, and all other evidences, statements, documents, and testimonies, etc. which responding defendant, in good faith, considers material and relevant to the instant action.

8. Copies of any, every, and all transcripts of meetings, reports, documents, data, statements, memoranda, information, etc. of the Department of Family Practice Faculty Staff Meetings relating to, referring or concerning plaintiff, and any investigations of Plaintiff's job performance and Complaints. This request includes, but is not limited to: date of any meetings; time of starting; the name, age, sex, race, national origin, ethnicity, position, and job titles of persons in attendance; persons excused; persons absent; plaintiff's residency overall evaluations, investigation, review, issues discussed; findings; conclusions; recommendations; actions taken and proposed follow-up to assess the effectiveness of the action (once taken); issues for Human Resources Department, and professional review committee action; time of adjournment; sign-in sheet verifying attendance; and signature of the chairman attesting that the minutes were approved by the committee. If no such meetings were held, or if no such records exist, please explicitly state so in your response.

9. Copies of any, every, and all transcripts of meetings, reports, documents, evaluations, data, statements, memoranda, notes, information, etc. of the STEER-LAREDO Faculty Staff Meetings, relating to or referring to plaintiff, and or plaintiff's job performance, and or any investigations, reviews, recommendations, or any other matters concerning plaintiff, Plaintiff's residency overall evaluation and his complaints. This request includes, but is not limited to: date of any meetings; time of starting; the name, age, sex, race, national origin, ethnicity, and job titles of persons in attendance; persons excused; persons absent; issues discussed; findings; conclusions; recommendations; actions taken and proposed follow-up to assess the effectiveness of the action (once taken); issues for the DEH and Human Resources Department Policy Committee, Peer Review Committee or Medical Staff action; time of adjournment; sign-in sheet verifying attendance; and signature of the chairman attesting that the minutes were approved by the committee. If no such meetings were held, or if no such records exist, please explicitly state so in your response.

10. Copies of any, every, and all transcripts of meetings, reports, documents, evaluations, data, statements, memoranda, notes, information, etc. of the Professional Review Committee or Peer Review Committee Meetings, relating to or referring to plaintiff, and or plaintiff's job performance, and or any investigations, reviews, recommendations, or any other matters concerning plaintiff, Plaintiff's job performance or overall residency evaluations and his complaints or grievance. This request includes, but is not limited to: date of any meetings; time of starting; the name, age, sex, race, national origin, national origin, ethnicity, and job titles of persons in attendance; persons excused; persons absent; issues discussed; findings; conclusions; recommendations; actions taken and proposed follow-up to assess the effectiveness of the action (once taken); issues for action; time of adjournment; sign-in sheet verifying attendance; and signature of the chairman attesting that the minutes were approved by the committee. If no such meetings were held, or if no such records exist, please explicitly state so in your response.

11. Copies of any, every, and all transcripts of meetings, reports, documents, evaluations, data, statements, memoranda, notes, information, etc, of the Executive Committee of The Medical Staff Meetings, relating to or referring to plaintiff, and or plaintiff's job performance, and or any investigations, reviews, recommendations, or any other matters concerning plaintiff, Plaintiff's job performance, overall residency evaluations, graduation and his complaints or grievance. This request includes, but is not limited to: date of any meetings; time of starting; the name, age, sex, race, national origin, national origin, ethnicity, and job titles of persons in attendance; persons excused; persons absent; issues discussed; findings; conclusions; recommendations; actions taken and proposed follow-up to assess the effectiveness of the action (once taken); issues for action; time of adjournment; sign-in sheet verifying attendance; and signature of the chairman attesting that the minutes were approved by the committee. If no such meetings were held, or if no such records exist, please so state in your response

12. Copies of any, every, and all transcripts of meetings, reports, documents, evaluations, data, statements, memoranda, notes, information, etc, of the Board of Trustees Meetings, relating to or referring to plaintiff, and or plaintiff's job performance, and or any investigations, reviews, recommendations, or any other matters concerning plaintiff, Plaintiff's job performance, overall residency evaluations, graduation and his complaints or grievance. This request includes, but is not limited to: date of any meetings; time of starting; the name, age, sex, race, national origin, national origin, ethnicity, and job titles of persons in attendance; persons excused; persons absent; issues discussed; findings; conclusions; recommendations; actions taken and proposed follow-up to assess the effectiveness of the action (once taken); issues for action; time of adjournment; sign-in sheet verifying attendance; and signature of the chairman attesting that the minutes were approved by the committee. If no such meetings were held, or if no such records exist, please so state in your response

13. A copy of plaintiff's complete and entire file at the STEER-Laredo Center

14. A copy of plaintiff's complete and entire file at the Department of Family Practice (DFP)

15. A copy of Plaintiff's complete and entire file at the Office Area Health Education Center (AHEC), Laredo

16. A copy of Plaintiff's complete and entire file at the Office of Graduate Medical Education

17. A copy of Plaintiff's complete and entire file at the Office of the Medical Staff

18. A copy of all interview notes, forms, blanks, writings, memos and emails made by any and all who reviewed plaintiff's applications for the Elective at STEER-Laredo.

19. A copy of notes, memos, emails, forms, jotters, statements, and writings made and maintained by Ms Perales relating, referring to and concerning the plaintiff in any way and matter

20. A copy of notes, memos, emails, forms, jotters, statements and writings made and maintained by Ms Miller relating to plaintiff in any way and matter.

21. A copy of all notes, memos, emails, forms, blanks, statements, writings, made and maintained by any other official of STEER-Laredo relating, referring to and concerning the Plaintiff in any way and matter.

22. Manual of The UTHSCSA Medical Staff Bylaws, Fair Hearing Plan, Rules, Regulations, policies, procedures, guidelines and criteria that must be followed at UTHSCSA and STEER-Laredo regarding, *inter alia*, (i) advertisement, recruiting, selection, interviewing, evaluation, hiring; (ii) objective job performance evaluations and remedies; (iii) disciplinary procedures; (iv) termination; (v) Grievance procedures; (vi) investigations of job performance; (vii) investigation of elective-resident complaints or grievances; (viii) professional or peers review; (ix) Correction Action

23. A copy of UTHSCSA Graduate Medical Education Policies and Procedures that was effective 1999

2000

24. A copy of Dept. of Family Practice (DFP) rules, regulations, policies, procedures, guidelines and criteria;
25. A copy of STEER Center, Laredo rules, regulations, policies, procedures, guidelines and protocols
26. A copy of UTHSCSA Faculty Handbook, rules, policies, procedures, guidelines, criteria, protocols etc;
27. Copies of all plaintiff's oral complaints and statements that were written and recorded by Ms Miller and Perales
28. Copy of investigation report conducted by Ms Miller regarding premature termination of plaintiff elective at UTHSCSA-STEER-Laredo.
29. Copy of investigation report conducted UTHSCSA on alleged plaintiff's sexual harassment of women at Laredo
30. A copy of the STEER Center Manual specifying and describing duties, responsibilities of physician Residents doing Environmental Medicine/Border Health Elective (EMBHE) operating at the relevant time period.
31. A copy of the STEER Center Manual specifying duties, responsibilities and job specifications of non faculty officers of STEER Center
32. A copy of DFP and STEER Center Employees' manual or Handbook during the relevant period
33. Copies of notes, letters, emails, memos, statements and other communications exchanged between each and every one of the Texas defendants relating, referring to or concerning plaintiff in any way and matter
34. A copy of job descriptions and specifications of Director STEER program
35. Copy of job descriptions and specifications of Dean of Graduate Medical Education
36. Copy of job descriptions and specifications of the Faculty of the DFP
37. Copy of job descriptions and specifications of defendant Roger B. Perales
38. Copies of all written communications between Donovan and Miller relating, referring to or concerning plaintiff in any way and matter
39. Copies of written communications between Donovan and Perales relating, referring to and concerning plaintiff in any way
40. Copies of all completed applications that plaintiff submitted to UTHSCSA for STEER elective
41. Documents of Means and methods of Enforcing and Monitoring Compliance with the UTHSCSA bylaws, policies, rules, regulations, guidelines, procedures, and criteria" during the relevant period.
42. Copy of any, every, and all documents, memoranda, information, notes, e-mails, evaluations, statements, or letters in the personal or private files in possession, custody and control of each of the defendants, which directly, or indirectly, refer to, or allude to, or relate to plaintiff in any way and matter
43. All documents which reflect, or refer to, or discuss the allegations in plaintiff's Complaint, or the defendants' defenses thereto.



44. Copies of all documents, notes, statements, writings, e-mails or memoranda describing or summarizing any conversations or meetings between Donovan and Miller; between plaintiff and Miller; between Donovan and Perales; between Miller and Perales; between Plaintiff and Perales; between Miller and any of the UTHSCSA past or present employees, servants, agents, or officers, regarding any of the allegations in plaintiff's complaint.

45. Copies of all documentary reports describing or in any way pertaining to any investigations conducted by the defendants regarding the occurrences and incidents, which form the subject matter of plaintiff's Complaint.

46. Copies of all employment agreements, correspondence and documents by which the Defendants retained any person, corporation, or entity to act as an expert witness, advisor or consultant in the instant action.

47. A copy of document with complete list or roster of all employees of the UTHSCSA-DFP for the years 1997, 1998, 1999, 2000, and 2001, which for each employee and for each year identifying the name, address, age, sex, race, qualifications, ethnicity, national origin, position, and job title, years in employment with defendant, and the number or proportion of the employees who are:

	<u>NUMBER/PROPORTION</u>
a. Male	
b. Female	
c. Black	
d. Black male	
e. Black female	
f. Caucasian	
g. Caucasian male	
h. Caucasian female	
i. Nigerian	
j. Nigerian male	
k. Nigerian female	
l. Spanish	
m. Spanish male	
n. Spanish female	
c. All other minorities (Orientals, Native Americans, etc)	
p. All other male minorities	
q. All other female minorities.	

48. Copies of the Department of DFP and STEER Center annual financial statements showing or identifying all sources of funding, and the exact amount of Dollars originating from each such source so named and the distribution of the funds for each year from 1998 to the present.

49. Copies of any, every, and all other documents, data, information, letter, memoranda, etc, which are relevant to any and all legal and or factual issues in this case.

50. Copies of all documents listing all employees of STEER Center from 1998 to present included in this request, are for each employee in each year: (a) the name, age, sex, race, ethnicity, address, national origin, job titles, position, telephone number and date and years of employment with defendant; (b) proportion of the

employee who are: Male, female, black, black male, Black female, Nigeria Origin, Caucasian, Caucasian male, Caucasian female, Spanish, Spanish male, Spanish female, other minorities (Orientals, Native American, etc), other male minorities, other female minorities; male over 40; and female over 40

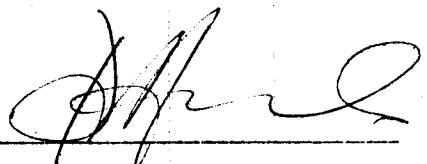
51. A statement or documents of the amount of gross compensation, including salary, overtime pay, anticipated raises, commissions, bonuses and other elements of compensation, including fringe benefits, health insurance, books allowance, meals, holiday pay, pensions, retirement benefits, disability benefits, sick pay, conferences' allowances, continuing education, tuition reimbursement that UTHSCSA third year residents earned in each year from 1999 to 2004 and state the basis of your computation.

52. Produce all documents in your possession, including, but not limited to (a) the long list of all applicants for the EMBHE, showing age, sex, race, national origin, qualifications, years of experience; (b) short list of the applicants selected therefrom (a) for interview; and (c) final list of the applicants/interviewees who were offered the respective elective positions in year 1998 and 2004. Produce a statement or document on the criteria used for making each list.

53. A copies each of complete and entire personnel files of each of the Defendants, to wit: Claudia S. Miller, and Roger B. Perales

54. A copy of each documents in each of the categories, which defendants disclosed and described in their "Texas Defendants' Rule 25(a)(1) Initial Disclosures" under Rule 26(a)(1)(3)

**NB: Regards this as continuing requests for production of documents and things.**

  
Darlington Amadasu, Plaintiff, Pro Se

**CERTIFICATE OF SERVICE:**

This is to certify that a true and accurate copy of the forgoing was served upon Justin D. Flamm to receptionist And on Ramiro Canales by fax/USPS mail on November 30, 2004 by

